

In the High Court of Judicature at Madras

Dated: 13.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.25134 of 2006
and M.P.No.1 of 2006

R.V.Kumar

..Petitioner

..vs..

1. The Director General,
Central Industrial Security Force,
Block No.13, C.G.O's Complex,
Lodhi Road, New Delhi-110 003.
2. The Deputy Inspector General,
South Zone,
Rajaji Bhavan,
Besant Nagar, Chennai-90.
3. The Senior Commandant,
Central Industrial Security Force,
M.P.T., GOA.

..Respondents

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to forbear the respondents from relieving the petitioner for one year at Chennai so as to enable the petitioner to submit the application for voluntary retirement at Chennai itself on 17.01.2007.

For Petitioner : Mr.M.Md.Ibrahim Ali

For Respondents : Mr.M.Damodharan

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

The petitioner has filed this writ petition to issue a Writ of Mandamus to forbear the respondents from relieving the petitioner for one year at Chennai, so as to enable him to submit application for voluntary retirement at Chennai itself on 17.01.2007.

2. Heard the learned counsel for the petitioner as well as the respondents.

3. The relief as claimed by the petitioner cannot be granted by this Court at this juncture. However, learned counsel for the petitioner informs this Court that the petitioner will file proper application for voluntary retirement on 17.01.2007 and if he is allowed to continue in Chennai itself, it would be possible for him to make such application. He also submits that thereafter, it is for the respondents to pass an order on the application for voluntary retirement.

Inasmuch as the request of the petitioner seems to be reasonable, we permit the petitioner to submit his application for voluntary retirement at Chennai itself before 20.01.2007. In view of the same, the petitioner is allowed to continue at Chennai till 20.01.2007. It is made clear that, we have not expressed anything on merits, on the application for voluntary retirement to be made by the petitioner and it is for the respondents to decide the same, in accordance with law.

With the above observation, the writ petition is disposed of. No costs. Consequently, M.P.No.1 of 2006 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Director General,
Central Industrial Security Force,
Block No.13, C.G.O's Complex,
Lodhi Road, New Delhi-110 003.

2. The Deputy Inspector General,
South Zone,
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Besant Nagar, Chennai-90.

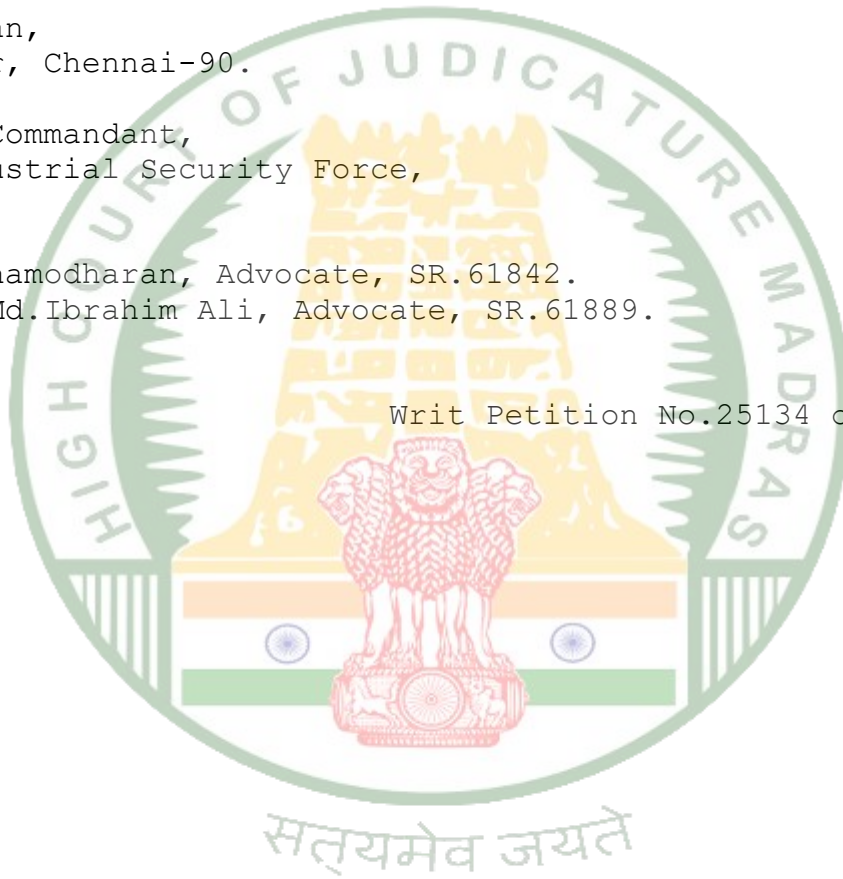
3. The Senior Commandant,
Central Industrial Security Force,
M.P.T., GOA.

1 cc To Mr.M.Dhamodharan, Advocate, SR.61842.

1 cc To M/S.M.Md.Ibrahim Ali, Advocate, SR.61889.

Writ Petition No.25134 of 2006

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RVL 21.12.2006



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